

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

VINCENT DANIEL HOPPER, a/k/a
ANTOLIN ANDREW MARKS

Plaintiff,

v.

G. WIGEN, *et al.*,

Defendants.

Case No. C05-5662FDB

ORDER DENYING PLAINTIFF'S
MOTION TO REOPEN CASE

The matter has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. §§ 636(b)(1)(A), 636(b)(1)(B), and Local Magistrates' Rules MJR 1, MJR 3, and MJR 4. Before the Court is Plaintiff's "Motion to Reopen and Reinstate the Injunctive Claims and to Recall the Dismissal Issued in this Matter." (Dkt. # 42). On June 9, 2006, this matter was dismissed without prejudice, pursuant to Fed. R. Civ. P. Rule 41(a)(1). (Dkt. # 33). The dismissal was based on Plaintiff's notification to the Court that he no longer wished to pursue this action because the conduct on which he based his complaint had ceased and he had suffered no compensable injury. (Dkt. 21). Judgment in favor of Defendants was entered on June 9, 2006 (Dkt. # 34) and the case was administratively closed on June 19, 2006. There is no action pending before the Court and, therefore, if Plaintiff seeks injunctive relief against Defendants, he must pursue it in a separate civil action.

1 Accordingly, Plaintiff's motion to reopen case (Dkt. # 42) is **DENIED**. The Clerk of the
2 Court shall send a copy of this Order to Plaintiff and to counsel for Defendants.

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4 DATED this 11th day of May, 2007.

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7 Karen L. Strombom
8 United States Magistrate Judge
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